

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF INGHAM

IN RE:

AMERICAN COMMERCIAL LIABILITY
INSURANCE COMPANY, a Michigan
Insurance Company,

Case No. 91-69270-CR

Hon. William E. Collette

Insolvent Insurance Company
in Liquidation Pursuant to
Chapter 81 of the Michigan
Insurance Code.

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Financial and Insurance Services
in her capacity as Liquidator of the American
Commercial Liability Insurance Company
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**ORDER APPROVING *PROCEDURE* FOR LIQUIDATOR'S VERIFIED MOTION FOR
APPROVAL OF PLAN FOR DISTRIBUTION OF RECEIVERSHIP ASSETS, AND
PROCEDURE FOR WIND UP, CLOSURE OF THE LIQUIDATION ESTATE, AND
OTHER RELIEF AND TO FILE EXHIBITS UNDER SEAL**

At a session of said Court, held in
the Circuit Courtrooms for the
County of Ingham, City of Lansing,
state of Michigan, this 20th day of
October, 2010

PRESENT: HONORABLE WILLIAM E. COLLETTE, CIRCUIT JUDGE

The Liquidator of the American Commercial Liability Insurance Company filed a Verified Motion for Approval of *Procedure* Governing the Liquidator's Verified Motion for Approval of Plan for Distribution of Receivership Assets, and Procedure for Wind Up, Closure of the Liquidation Estate, and Other Relief and to File Exhibits Under Seal ("Motion");

The Court having reviewed the Motion and attachment;

No response to the Motion having been filed;

The Court having heard the argument of counsel for the Liquidator; and

The Court being otherwise fully advised in the premises;

NOW THEREFORE, IT IS HEREBY ORDERED that the Liquidator shall schedule December 1, 2010 as the date for a hearing concerning the Liquidator's Verified Motion for Approval of Plan for Distribution of Receivership Assets, which may be adjourned by the Liquidator or the Court from time to time as required or advisable ("Verified Motion for Distribution").

IT IS FURTHER ORDERED that the Notice to Claimants of the American Commercial Liability Insurance Company ("Notice"), appended as Exhibit 1 to the Liquidator's Motion, is **APPROVED** as to form and content.

IT IS FURTHER ORDERED that the Liquidator shall cause the Notice to be published in *The USA Today* once per week for two consecutive weeks prior to the scheduled hearing on the Verified Motion for Distribution.

IT IS FURTHER ORDERED that the Liquidator will cause the Notice to be published on the OFIR website at the same time the Notice is sent to the guaranty associations having obligations due to the insolvency of American Commercial Liability Insurance Company.

IT IS FURTHER ORDERED that the Liquidator shall cause the Notice to be sent by United States Mail (First Class) to all persons who filed proofs of claim with the Liquidator and whose claims have not been paid by a guaranty association, and such Notice shall be sent to the address listed on the proofs of claim or to such updated addresses as the claimant may have provided.

IT IS FURTHER ORDERED that the Liquidator shall cause the Notice, as well as a copy of the Verified Motion for Distribution, to be sent by United States Mail (First Class) to each of the guaranty associations having obligations due to the insolvencies of the American Commercial Liability Insurance Company prior to the hearing on the Liquidator's Verified Motion for Distribution.

IT IS FURTHER ORDERED that publication of the Notice, mailing the Notice to the addresses listed on the proofs of claim filed by all persons who have filed proofs of claim but whose claims have not been paid by the guaranty associations, mailing the Notice and the Verified Motion for Distribution to guaranty associations having obligations due to the insolvency of American Commercial Liability Insurance Company, and the publication of the Notice on the OFIR website constitutes **ADEQUATE, FULL, FAIR, SUFFICIENT, AND REASONABLE NOTICE** of the Liquidator's Verified Motion for Distribution and the relief sought therein.

IT IS FURTHER ORDERED that if written objection is not filed with this Court and received by counsel for the Liquidator not later than November 22, 2010, all further objections to the Liquidator's Verified Motion for Distribution **ARE FOREVER BARRED**.

IT IS FURTHER ORDERED that all subsequent actions (including adjournments of any scheduled matter) in this Receivership shall be done **WITHOUT NOTICE**

to any person, except that the Liquidator shall give notice of all further actions in the Receivership to all guaranty associations having obligations due to the insolvency of the American Commercial Liability Insurance Company and to any person filing a response to the Liquidator's Verified Motion for Distribution.

IT IS FURTHER ORDERED that the Liquidator's request to file the Exhibits to the Liquidator's Report and Recommendations on Review and Investigation of Claims **UNDER SEAL** is **GRANTED**. Pursuant to MCR 8.119(F)(1), the Liquidator has filed a written motion that identifies the specific interest to be protected (personal information, including addresses, and this Court finds 1) good cause to place the Exhibits under seal; and 2) there is no less restrictive means to protect the specific interest asserted.

WILLIAM E. COLLETTE

Honorable William E. Collette
Ingham Circuit Court Judge